

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

MICHAEL S. GRIFFIS

PLAINTIFF

v.

Civil No. 05-3040

SHERIFF CHUCK MEDFORD;
LT. BETH REELY; JIMMY
KEELAND; MICHAEL BROWN;
PETE MOSS; JACK GENTRY;
GEORGE JEFFREY; MARK LOTTA;
DR. THERESA FARROW; DR.
DONALD CLAY; and SHELIA M.
HOWERTON

DEFENDANTS

ORDER

Before the court is an amended suggestion of the death of defendant George Jeffrey and a motion to dismiss (Doc. 67). On September 13, 2006, a return of service was filed noting that George Jeffrey had been personally served at his residence on August 17, 2006 (Doc. 50). An answer was filed on his behalf on September 14, 2006 (Doc. 51).

Defendant George Jeffrey died on September 8, 2006 (Doc. 67). As noted above, he was personally served on August 17th.

Plaintiff has indicated that he is suing the defendants in both their individual and official capacities. (Doc. 20). For this reason, **Regina Fox Jeffrey, in her capacity as Personal Representative of the Estate of George Jeffrey, is hereby substituted as a defendant in this case. The clerk is directed to substitute Regina Fox Jeffrey as Personal Representative for the Estate of George Jeffrey as a defendant in place of George Jeffrey.**

As George Jeffrey was served prior to his death, the court need not direct service of the complaint on Regina Fox Jeffrey. In view of the substitution, the motions to dismiss (Doc. 53 and Doc. 67) are moot.

IT IS SO ORDERED this 14th day of November 2006.

/s/ Beverly Stites Jones
UNITED STATES MAGISTRATE JUDGE